UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Susan D. Wigenton

Crim. No. 09-679

CONTINUANCE ORDER

LUIS MORENO

v.

This matter having come before the Court on the joint application of Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (by Brooke E. Carey, Assistant U.S. Attorney), and defendant Luis Moreno (by Elizabeth H. Smith, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- 1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which would render trial of this matter unnecessary;
- 2. Defendant has consented to the aforementioned continuance; and

3. Pursuant to Title 18 of the United States Code,
Section 3161(h)(8), the ends of justice served by granting the
continuance outweigh the best interests of the public and the
defendant in a speedy trial. WHEREFORE, on this day of September, 2009,
IT IS ORDERED that the period from September 24, 2009,
through November 23, 2009 shall be excludable in computing time
under the Speedy Trial Act of 1974, pursuant to Title 18, United
States Code, Section 3161(h)(8).
IT IS FURTHER ORDERED that all dates for the parties to
file and respond to motions, for the motion hearing and for trial
in the court's Order For Discovery and Inspection shall be stayed
as follows:
1. Defendants shall file pretrial motions on or before $10/26/09$
2. The Government shall respond to such motions on or before $\frac{11/16/09}{}$
3. The return date for pretrial motions shall be
11/23/09 and

4. Trial shall commence on $\frac{11/24/09}{}$.

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HON. SUSAN D. WIGENTON
United States District Judge

Assistant U.S. Attorney

Brooke E. Carey

Elizabeth H. Smith, Esq.

Counsel for defendant Luis Moreno